IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1605 OF 2004

M/s. Kanak Exports & Anr. ....Petitioners

Versus

State of Maharashtra and Ors. ...Respondents

Mr. Shyam Diwan with Mr. Chetan Kapadia instructed by M/s. Nankani & Associates for the petitioners.
Mr. R.M.Sawant, Government Pleader with Mr. A. Sayyed for respondent No.1.
Mr. C.U.Singh with Mrs. N.V. Sanglikar for respondent Nos. 2 and 3.

CORAM: **DALVEER BHANDARI, C.J.** &
DR. D.Y. CHANDRACHUD,J.

DATE: AUGUST 16, 2004.

P.C.

The learned counsel for the petitioners wishes to withdraw this petition in order to avail of statutory remedy under Section 217 of the Mumbai Municipal Corporation Act, 1888. Leave as prayed for is granted. This petition, being devoid of any merit, is accordingly dismissed.

2. The learned counsel appearing for the Corporation fairly submits that the petitioners may be granted eight weeks time to approach the Tribunal and the Corporation would not raise the question of limitation, if appeal is filed within the time prescribed by this Court, in that event, no coercive steps shall be taken by the Municipal Corporation till the next date of hearing.

CHIEF JUSTICE

DR. D.Y. CHANDRACHUD, J.